

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

ANGELO FEARS,

Petitioner,

-vs-

MARGARET BAGLEY, Warden,

Respondent.

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Case No. 1:01-cv-183

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District Judge Walter Herbert Rice  
Chief Magistrate Judge Michael R. Merz

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**ORDER TO EXPAND THE RECORD**

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On August 2, 2005, the Court *sua sponte* suggested supplementation of the record in the above-captioned case to include certain pages from the website of evidentiary hearing defense witness Dr. Raymond Gastil. (Doc. No. 110.) The proposed pages represent Dr. Gastil's affidavit in another Ohio death penalty case, that of Herman Dale Ashworth, and are available at <http://socialanalysis.siteideas.net/ashworthontheweb.htm>. The Court allowed the parties fourteen days from the date of that entry to object. Respondent's counsel expressly stated that he had no objection to supplementation of the record (Warden's Response to Sua Sponte Supplementation of Record with Dr. Gastil Affidavit from Ashworth Case, Doc. No. 111, filed August 3, 2005), and Petitioner's counsel has made no objection. Accordingly, the record is expanded as described.

August 18, 2005.

s/ **Michael R. Merz**  
Chief United States Magistrate Judge